

REMARKS

In view of the above amendments and the following remarks, favorable reconsideration of the outstanding Office Action is respectfully requested.

Claims 1, 12, 14 and 15 are currently amended in this paper. No new claim is added. Claims 10 and 16-23 are canceled without prejudice.

The present application is technically related to application serial No. 09/920,257, filed by Laura J. Ball et al. on August 1, 2001, entitled "Method and Feedstock for Making Photomask Material," and No. 10/044,456, which is a divisional application of 09/920,257, above, filed on August 20, 2003.

1. Claim objections

The Examiner has objected to claims 4 and 10 as originally filed in the application as being substantial duplicate of each other. In response, Applicant has canceled claim 10, and amended all claims originally dependent from claim 10 to depend from claim 4.

2. Rejections under 35 U.S.C. § 102

The Examiner has rejected originally filed claims 1, 2 and 4-15 under 35 U.S.C. § 102(b) as being anticipated by Le Sergent (United States Patent No. 5,194,714).

Claim 1 of the present application has been amended in this paper to further limit the last step of depositing silica particles to "depositing the silica particles on a rotating horizontal deposition surface while at the same time consolidating the particles to form glass." Since Le Sergent does not disclose that the silica particles is deposited on a rotating horizontal deposition surface, and Le Sergent does not disclose that the particles are consolidated into silica glass when being deposited onto the deposition surface, this rejection under 35 U.S.C. § 102(b) is no longer applicable.

The Examiner further rejected originally filed claim 3 under 35 U.S.C. § 102(b) as being anticipated by Guerder et al. (United States Patent No. 4,367,013).

Claim 1 of the present application, which is the main claim that claim 3 depends from, has been amended in this paper to further limit the last step of depositing silica particles to "depositing the silica particles on a rotating horizontal deposition surface while at the same time consolidating the particles to form glass." Since Guerder et al. does not disclose that the silica particles is deposited on a rotating horizontal deposition surface, and Le Sergent does

not disclose that the particles are consolidated into silica glass when being deposited onto the deposition surface, this rejection under 35 U.S.C. § 102(b) is no longer applicable.

5. Conclusion

Based upon the above amendments, remarks, and papers of record, Applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests reconsideration of the pending claims 1-15 and a prompt Notice of Allowance thereon.

Applicant believes that a one-month extension of time is necessary to make this Response timely. Should Applicant be in error, Applicant respectfully requests that the Office grant such further time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Response timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

The undersigned attorney is granted limited recognition by the Office of Discipline and Enrollment of the USPTO to practice before the USPTO in capacity as an employee of Corning Incorporated. A copy of the document granting such limited recognition either has been previously submitted or is submitted herewith for the record.

Please direct any questions or comments to the undersigned at (607) 248-1253.

Respectfully submitted,

CORNING INCORPORATED



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